IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 11TH DECEMBER 2007 / 20TH AGRAHAYANA 1929

Con.Case(C).No. 1635 of 2007(S)

AGAINST THE JUDGEMENT/ORDER IN WPC.21771/2007
Dated 14/08/2007
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PETITIONER/PETITIONER IN BOTH THE WRIT PETITIONS:

MATHEW ANTONY, AGED 37 YEARS,
S/O.K.C.ANTONY, KARIYIL HOUSE,
M/S.DAKSHIN RUBBER WORKS, INDUSTRIAL ESTATE,
CHANGANACHERRY, KOTTAYAM DISTRICT.

BY ADV. SRI. JOBI JOSE KONDODY

RESPONDENTS: 4TH AND 5TH RESPONDENT IN WPC.NO.21771 OF 2007:
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1. MR. SAJI BASHEER, AGE AND S/O.NOT KNOWN
TO THE PETITIONER, MANAGING DIRECTOR,
KERALA SMALL INDUSTRIES DEVELOPMENT CORPORATION
LTD.(SIDCO) P.B.NO.50, 6TH FLOOR, HOUSING BOARD
BUILDINGS, SANTHI NAGAR, THIRUVANANTHAPURAM.

2. MR.P.R.MOHANAN, AGE AND S/O.NOT KNOWN
TO THE PETITIONER, ESTATE MANAGER,
KERALA STATE SMALL INDUSTRIES DEVELOPMENT
CORPORATION LTD.(SIDCO), INDUSTRIAL ESTATE P.O.
CHANGANACHERRY, KOTTAYAM DISTRICT.

ADDL.R3. THE EXECUTIVE ENGINEER, KSEB,
CHANGANACHERRY ELECTRICAL DIVISION,
CHANGANACHERRY P.O, KOTTAYAM DISTRICT.

ADDL.R4. I. MUMTHAZ, PARAKKAL HOUSE,
(OASIS RUBBER INDUSTRIES)
BEHIND SURESH NURSING HOME,
ICO JUNCTION, CHANGANACHERRY, KOTTAYAM DISTRICT.

ADDL.R5. THE SUB INSPECTOR OF POLICE,
CHANGANACHERRY POLICE STATION,
CHANGANACHERRY, KOTTAYAM DISTRICT.

(ADDITIONAL RESPONDENTS 3 TO 5 IMPLEADED AS PER ORDER IN I.A. NO. 683/2007 DATED 11.12.2007).

BY ADV. SRI. R.T. PRADEEP
SRI. P.P. THAJUDEEN, SC

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR ADMISSION ON 11/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

Contempt of Court Case No. 1635 of 2007

Dated, this the 11th day of December, 2007

J U D G M E N T

Heard learned counsel for the petitioner and learned standing counsel appearing for both the respondents. Even though notices were served on counsel for additional respondents, there is no appearance of 4th respondent in the COC.

2. In spite of directions of this Court to the Kerala State Electricity Board to give additional supply to the petitioner, KSEB vide letter dated 17/11/2007 stated that on account of construction of a wall in front of petitioner's property, there is inadequacy of space for installation of transformer. Letter issued by KSEB is produced in Court and I have gone through the same. Petitioner has also produced Annexure 4, which shows that Estate Manager of SIDCO found that construction of the wall, by 6th respondent in the writ petition, is illegal and he sought for its demolition. Since 6th respondent declined to demolish the wall constructed by him and there is no appearance for 6th respondent in this Court, petitioner is given freedom to demolish the wall, constructed by 6th respondent illegally. If there is any obstruction, there will be direction to the

concerned Official to give police protection to the petitioner to demolish the wall, constructed illegally, mentioned in Annexure A4 issued by the Estate Manager. KSEB will install the transformer and give connection to the petitioner on petitioner complying with the formalities and on remitting the usual charges after demolition of the compound wall.

This contempt of court case is closed as above.

(C.N.RAMACHANDRAN NAIR, JUDGE)

jg